

**Tracking No. TNR146227**

General NPDES Permit for  
**STORM WATER DISCHARGES ASSOCIATED WITH  
CONSTRUCTION ACTIVITY**

Tennessee Department of Environment and Conservation  
Division of Water Pollution Control  
401 Church Street, 6th Floor, L&C Annex  
Nashville, Tennessee 37243-1534

Under authority of the Tennessee Water Quality Control Act of 1977 (T.C.A. 69-3-101 et seq.) and the delegation of authority from the United States Environmental Protection Agency under the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq.):

Name of the Construction Project: **Berry Farms - Rural Plains Tract - Section 1 (27 acres)  
BNB-WCO Investors, LLC on behalf of Rural Plains  
Partnership**

Construction site Owner/Developer: **BNB-WCO Investors, LLC (Developer)**

is authorized to discharge storm water associated with construction activity

from site located at: **Near intersection of Lewisburg Pike & Goose Creek Bypass,  
Williamson County**  
to receiving waters named: **Fivemile Creek**

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

Likely presence of threatened or endangered species in 1 mile radius: **NO**

Likely presence of threatened or endangered species downstream: **NO**

Additional pollution prevention requirements apply for discharges into waters which TDEC identifies as:  
a) impaired: **YES**                      b) discharging into High Quality Waters: **NO**

Coverage under this general permit shall become effective on August 12, 2008, and shall be terminated upon approval of Notice of Termination, or the date of expiration of this General Permit.



Paul E. Davis, Director  
Division of Water Pollution Control



**STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
NASHVILLE ENVIRONMENTAL FIELD OFFICE  
DIVISION OF WATER POLLUTION CONTROL  
711 R.S. GASS BOULEVARD  
NASHVILLE, TN 37243**

August 12, 2008

Mr. Phil Fawcett  
Manager  
BNB-WCO Investors, LLC  
2000 Meridian Blvd., Suite 250  
Franklin, TN 37067

SID  
#26317

**RE: NPDES Construction General Permit Tracking No. TNR146227  
Berry Farms - Rural Plains Tract - Section 1  
Franklin, Williamson County, Tennessee**

Dear Mr. Fawcett:

The Division of Water Pollution Control (the division) acknowledges receipt of the Notice of Intent (NOI) form on March 6, 2008. The NOI was submitted to obtain coverage under a General NPDES Permit for Storm Water Discharges Associated with Construction Activity. Enclosed is the Notice of Coverage (NOC) form which shows the site name and location, receiving stream, effective date of coverage, and responsible operators.

**Contractor Information**

As of the date this NOI was processed, no contractor was identified on the NOI. A primary contractor, or contractor otherwise responsible for sediment and erosion controls on the construction site, must be identified and must submit an NOI to this office prior to beginning earth clearing operations on site. When submitting the NOI, the contractor should indicate on the NOI form the above referenced permit tracking number.

**Storm Water Pollution Prevention Plan (SWPPP)**

The division acknowledges receipt of your SWPPP as fulfillment of the SWPPP submittal requirement for this construction site. Please note that the division has not performed an engineering review of the SWPPP and does not certify whether the SWPPP adequately provides for the pollution prevention requirements at the site as described in the General Permit. The division acknowledges that you have submitted a SWPPP that appears to include the required components of a SWPPP. It is the responsibility of all site operators to design, implement, and maintain measures that are sufficient to prevent pollution at the referenced site, and to remain in compliance with the terms and conditions of the General Permit.

Mr. Phil Fawcett, Berry Farms - Rural Plains Tract - Section 1 NOC

Page 2

August 12, 2008

**Impaired Waters**

The receiving stream for a construction site for which the NOI was submitted appears on the state's list of impaired stream segments for partially supporting or for not supporting its designated uses due to siltation. Since the discharge from the proposed construction site may contain significant amounts of silt, the division considers the potential for degradation to the receiving stream from the discharge to be significant. Therefore, additional pollution prevention requirements for discharges into waters which TDEC identifies as impaired by siltation, as described in the General Permit, Subpart 4.4., apply to your construction site.

We appreciate your attention to the Tennessee Construction General Permit for Stormwater Discharges and its requirements. We believe this does make a difference to the quality of state waters. If you have any questions, please contact me at (615) 687-7120 or by E-mail at *Jeremy.Coones@state.tn.us*.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeremy Coones", written in a cursive style.

Jeremy Coones  
Division of Water Pollution Control

cc: Mr. Jack Parker Littlejohn Engineering Associates, 1935 Twenty-First Avenue South, Nashville, TN 37216



Department of Environment and Conservation  
Division of Water Pollution Control

**CONSTRUCTION ACTIVITY – STORM WATER DISCHARGES  
NOTICE OF INTENT (NOI)**

<b>Site Name:</b>	<b>Berry Farms - Rural Plains Tract -I SECTION 4</b>	<b>Existing Tracking No.</b>
<b>Street Address or Location:</b>	Tax Map 106 Parcel 32.02 Williamson County Nearest City - Franklin	<b>Start date:</b> May 2008 <b>Estimated end date:</b> May 2009
<b>Site Description:</b>	Grading on approximately 27.0 AC for construction of a residential neighborhood	<b>Latitude:</b> 35° 51' 53" <b>Longitude:</b> 86° 50' 25"
<b>County(ies):</b>	Williamson	<b>Acres Disturbed:</b> 27.0 +/- acres
Does a topographic map show dotted or solid blue lines <input checked="" type="checkbox"/> and/or wetlands <input type="checkbox"/> on or adjacent to the construction site? If wetlands are located on-site and may be impacted, attach wetlands delineation report. If an Aquatic Resource Alteration Permit has been obtained for this site, what is the permit number? ARAP permit No.:		
Receiving waters: The site runoff is routed to Goose Creek		
Attach the SWPPP with the NOI <input checked="" type="checkbox"/> SWPPP Attached      Attach a site location map <input checked="" type="checkbox"/> Map Attached		

**Site Owner/Developer:** (person, company, or legal entity that has operational or design control over construction plans and specifications)

**BNB-WCO Investors, LLC on behalf of Rural Plains Partnership**

<b>Site Owner/Developer Contact:</b> (individual responsible for site) <b>Phil Fawcett</b>		<b>Title or Position:</b>	
<b>Mailing Address:</b> 2000 Meridian Blvd., Suite 250		<b>City:</b> Franklin	<b>State:</b> TN
<b>Phone:</b> (615) 550-5580		<b>Zip:</b> 37067	
<b>E-mail:</b> pfawcett@boyle.com			
<b>Optional Contact:</b>		<b>Title or Position:</b>	
<b>Address:</b>		<b>City:</b>	<b>State:</b>
<b>Phone:</b> ( )		<b>Zip:</b>	
<b>E-mail:</b>			

**Owner/Developer Certification** (must be signed by president, vice-president or equivalent, or ranking elected official)

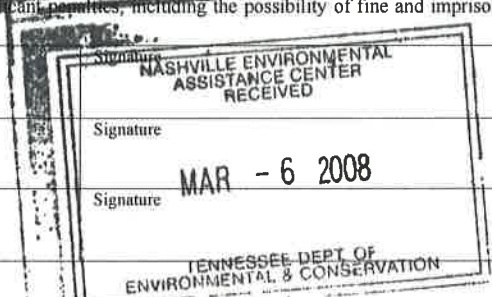
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

<b>Owner/Developer name; print or type</b> Phil Fawcett	<b>Signature</b> 	<b>Date</b> 2/25/08
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**Contractor(s) Certification** (must be signed by president, vice-president or equivalent, or ranking elected official)

I certify under penalty of law that I have reviewed this document, any attachments, and the SWPPP referenced above. Based on my inquiry of the construction site owner/developer identified above, and/or my inquiry of the person directly responsible for assembling this NOI, I believe the information submitted is accurate. I am aware that this NOI, if approved, makes the above-described construction activity subject to NPDES permit number TNR100000, and that certain of my activities on-site are thereby regulated. I am aware that there are significant penalties, including the possibility of fine and imprisonment for knowing violations, and for failure to comply with these permit requirements.

<b>Primary contractor name and address; print or type</b>	<b>Signature</b>	<b>Date</b>
<b>Other contractor name and address; print or type</b>	<b>Signature</b>	<b>Date</b>
<b>Other contractor name and address; print or type</b>	<b>Signature</b>	<b>Date</b>



**OFFICIAL STATE USE ONLY**

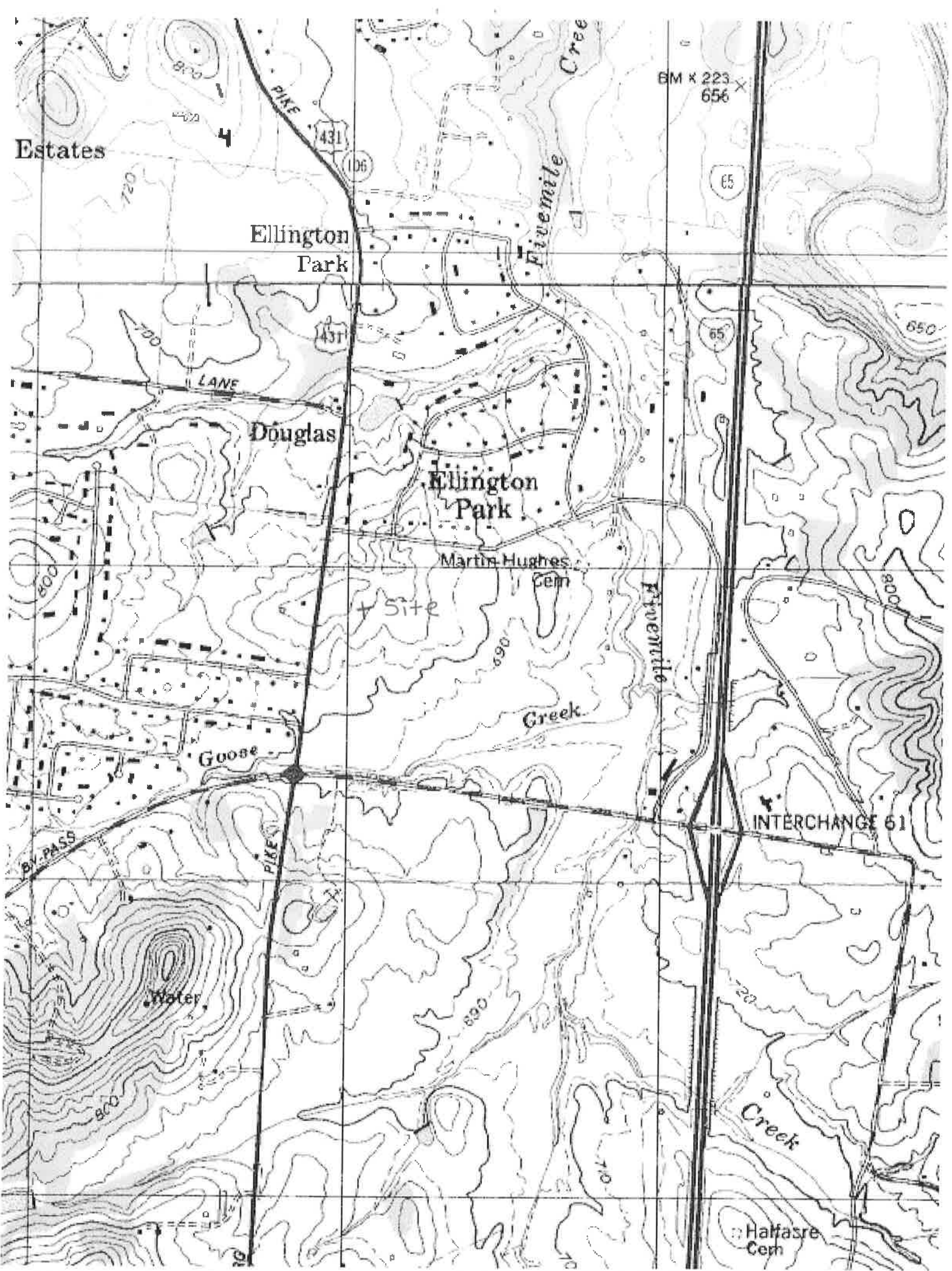
<b>Received Date</b> 3-8-08	<b>Reviewer</b> JRC	<b>Field Office</b> 04	<b>Permit Number</b> TNR 146227	<b>High Quality Water</b> N2
<b>Fee(s)</b> 500.00	<b>T &amp; E Aquatic Fauna</b> None Noted	<b>Impaired Receiving Stream</b> Yes	<b>Notice of Coverage Date</b> 8/12/08	

CN-0940 (Rev. 05-05)

RDAs 2399 and 2400

26317

(continued on reverse)



Estates

Ellington  
Park

Douglas

Ellington  
Park

Martin Hughes  
Cem

+ Site

Goose

Water

INTERCHANGE 61

Creek

Halfacre  
Cem

# **STORM WATER POLLUTION PREVENTION PLAN**

**Prepared for**

**Berry Farms –Town Center  
Section 1**

**Franklin, Williamson County, Tennessee**

**LEA # 27141**

**Prepared By**

**Littlejohn Engineering Associates, Inc.**

**1935 Twenty-First Avenue South  
Nashville, Tennessee 37212**

**March 6, 2008**

## **Table of Contents**

- 1.0 Site Description
  - 1.1 Nature of Construction Activity
  - 1.2 Construction Sequence
  - 1.3 Area of Disturbance
  - 1.4 Site Soils
  - 1.5 Runoff Coefficients
  - 1.6 Location and Site Map
  - 1.7 Outfall Points
  - 1.8 Industrial Activity
  - 1.9 Receiving Stream and Wetlands
  - 1.10 Buffer Zones
  - 1.11 On-Site Waste
  
- 2.0 Storm Water Runoff Controls
  - 2.1 Erosion and Sediment Controls
    - 2.1.1 General Criteria and Requirements
    - 2.1.2 Stabilization Practices
    - 2.1.3 Structural Practices
  - 2.2 Storm Water Management
  - 2.3 Other Items needing Control
  - 2.4 Approved Local Government Sediment and Erosion Control Requirements
  
- 3.0 Maintenance
  
- 4.0 Inspections
  - 4.1 Inspector Training and Certification
  - 4.2 Schedule of Inspections
  
- 5.0 Non-Storm Water Discharges
  
- 6.0 Signatures and Certifications
  
- 7.0 Notice of Termination

Appendix A EPSC & Details

Appendix B Grading and Drainage Plan

Appendix C Location and Site Map

Appendix D Notice of Coverage

Appendix E Construction Storm Water Inspection Certification

Appendix F Notice of Termination



## **1.0 Site Description**

The referenced project is located near the intersection of Lewisburg Pike and Goose Creek Bypass in Franklin, Williamson County, Tennessee. The project site for the new development is shown on the County of Williamson, State of Tennessee, Tax Map 106, Parcel 32.02. The site consists of 223.0± acres with approximately 27.0± acres to be disturbed during the construction of Section 1. The construction will consist of a 105 lot subdivision with supporting infrastructure.

### **1.1 Nature of Construction Activity**

As is typical for construction of any project of this magnitude; there are several types of construction. In order to accomplish the construction of the facility, the following types of construction will occur:

- Installation of erosion control measures;
- Site grading;
- Storm sewer installation;
- Sediment monitoring;
- Establishment of vegetation

### **1.2 Construction Sequence**

The first element of construction will be to install a stone/rock construction entrance, which is necessary for the vehicles to access the site. This will ensure that tracking of vehicle debris will not occur.

The second element of construction will be the installation of the silt fence and tree protection. An existing sediment basin will function to receive runoff from the proposed development. The third element of construction will be to modify the existing sediment basin to provide a top of berm of 686.0. Following this, the City of Franklin - Stormwater Management Section will be contacted to obtain the stormwater permit. The Stormwater Management Section will then contact the street department for inspection of all erosion control devices in order to obtain a full grading permit. Once the permit has been obtained, clearing, grubbing, excavation, and general mass grading can begin. The remaining site will be constructed according to City of Franklin approved plans, including all additional erosion control devices.

Upon permanent site stabilization, silt fence, and all other temporary erosion control devices will be removed. These procedures are discussed and shown on Sheets C3.0 – C3.2 which are included in Appendix A. The existing sediment basin is to remain in place until future phases have been permitted and the appropriate sediment and erosion control measures implemented.

The intent of the Storm Water Pollution Prevention Plan is to minimize the disturbance to the site and the surrounding areas. All construction shall be in accordance with the storm water runoff controls presented in section 2 of this Plan.

### **1.3 Area of Disturbance**

The project parcel consists of 223.0± acres of which 27.0± acres will be disturbed during this construction. The attached Grading and Drainage Plans (Sheets C5.0 – C5.2) details these activities and are included in Appendix B.

### **1.4 Site Soils**

The site soils consist of Stiversville silt loam (StC2 & StB2). This well-drained soil is on the uplands of the Central Basin. It has formed from phosphatic sandy limestone interbedded with shale. Typically, the surface layer is dark brown silt loam about 8 inches thick. The subsoil extends to a depth of 8-20 inches and is yellowish-brown or reddish-brown silty clay loam or clay loam. The underlying material to a depth of 20-40 inches is dark brown to reddish brown, friable silty clay loam. Bedrock is at a depth of 2.5-5 feet. Armour silt loam is also present on site (ArB & ArB2). This deep well-drained soil developed on in phosphatic alluvium on stream terraces and foot slopes. The surface layer is typically dark brown silt loam 0-12 inches thick. The subsoil is generally redder, heavier textured and firmer. The thickness of the alluvium ranges from 2 to 10 feet. This information was taken from the Soil Survey of Williamson County, Tennessee, issued August 1964, Sheet 46.

### **1.5 Runoff Coefficients**

Currently, the site consists mainly of open meadow with little to no existing impervious area. The estimated existing runoff coefficient is 0.50. Upon completion of the site, the estimated runoff coefficient will remain at 0.85.

### **1.6 Location and Site Map**

A copy of the location and site map is included as Appendix C at the back of this Plan.

### **1.7 Outfall Points**

The outfall exits the site via sheet flow into Goose Creek.

## **1.8 Industrial Activities**

There are currently no industrial activities taking place at this site. In addition, there are no industrial activities planned for the facility.

## **1.9 Receiving Stream and Wetlands**

The site runoff is routed to Goose Creek. There are no known sinkholes on the site.

## **1.10 Buffer Zones**

A 60-ft average buffer, with a 25-ft minimum, has been established along Goose Creek

## **1.11 On Site Waste**

No on-site waste disposal or sewer septic systems are planned for the site.

# **2.0 Storm Water Runoff Controls**

## **2.1 Erosion and Sediment Controls**

### **2.1.1 General Criteria and Requirements**

- The construction-phase erosion and sediment controls shall be designed to minimize the dislodging and suspension of soil in water. Sediment controls shall be designed to retain mobilized sediment on site.
- All control measures must be properly selected, installed, and maintained in accordance with the manufacturer's specifications and good engineering practices. All control measures selected must be able to slow runoff so that rill and gully formation is prevented. When steep slopes and/or fine particle soils are present at the site, additional physical or chemical treatment of storm water runoff may be required, and must be fully described. If periodic inspections or other information indicates a control has been used inappropriately, or incorrectly, the permittee must replace or modify the control for relevant site situation.
- If permanent or temporary vegetation is to be used as a control measure, then the timing of the planting of the vegetation cover must be discussed in the SWPPP. Delay in planting cover vegetation until winter months or dry months should be avoided, if possible.

- If sediment escapes the construction site, off-site accumulations of sediment **that have not** reached a stream must be removed at a frequency sufficient to minimize offsite impacts (e.g., fugitive sediment that has escaped the construction site and has collected in a street must be removed so that it is not subsequently washed into storm sewers and streams by the next rain and/or so that it does not pose a safety hazard to users of public streets.) The permittees shall not initiate remediation/restoration of a stream without consulting the Division of Water Pollution Control first. This permit does not authorize access to private property. Arrangements concerning removal of sediment on adjoining property must be settled by the permittees with the adjoining property landowner.
- Sediment should be removed from sediment traps, silt fences, sedimentation ponds, and other sediment controls as necessary, and must be removed when design capacity has been reduced by 50%.
- Litter, construction debris, and construction chemicals exposed to storm water shall be picked up prior to anticipated storm events (e.g. forecasted by local weather reports), or otherwise prevented from becoming a pollutant source for storm water discharges (e.g., screening outfalls, daily pick-up, etc.). After use, materials used for erosion prevention and sediment control should be removed or otherwise prevented from becoming a pollutant source for storm water discharges.
- Offsite erodible material storage and/or borrow areas (also including overburden and stockpiles of dirt, etc.) used primarily by the permitted project are considered a part of the project and shall be addressed in the SWPPP and included in the fee calculation.
- Pre-construction vegetative ground cover shall not be destroyed, removed, or disturbed more than 10 calendar days prior to grading or earth moving unless the area is seeded and/or mulched or other temporary cover is installed.
- Clearing and grubbing must be held to the minimum necessary for grading and equipment operation.
- Construction must be sequenced to minimize the exposure time of graded or denuded areas.
- Construction must be phased for projects in which over 50 acres of soil will be disturbed. Areas of the completed phase must be stabilized within 15 days (refer to Stabilization practices below). No more than 50 acres of active soil disturbance is allowed at any time during the construction project.
- Erosion prevention and sediment control measures must be in place and functional before earth moving operations begin, and must be constructed and maintained throughout the construction period. Temporary measures may be removed at the beginning of the workday, but must be replaced at the end of the workday.

- The following records must be kept on site: the dates when major grading activities occur; the dates when construction activities temporarily or permanently cease on a portion of the site; and the dates when stabilization measures are initiated, inspection records and rainfall records.
- Permittees shall maintain a rain gauge and daily rainfall records at the site, or use a reference site for a record of daily amount of precipitation.

### **2.1.2 Stabilization Practices**

The SWPPP shall include a description of interim and permanent stabilization practices, including site-specific scheduling of the implementation of the practices. Site plans should ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized. Site plans should comply with buffer zone requirements, if applicable, in which construction activities, borrow and/or fill are prohibited. Stabilization practices may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures. Use of impervious surfaces for final stabilization in lieu of a permanent vegetative cover should be avoided where practicable. No stabilization, erosion control or sediment treatment measures are to be installed in a stream without obtaining an Aquatic Resource Alteration Permit (ARAP).

Stabilization measures shall be initiated as soon as possible in portions of the site where construction activities have temporarily or permanently ceased. Temporary or permanent soil stabilization at the construction site (or a phase of the project) must be completed not later than 15 days after the construction activity in that portion of the site has temporarily or permanently ceased. In the following, situations, temporary stabilization measures are not required:

- Where the initiation of stabilization measures is precluded by snow cover or frozen ground conditions or adverse soggy ground conditions, stabilization measures shall be initiated as soon as practicable; or
- Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within 15 days.

Permanent stabilization with perennial vegetative (using native herbaceous and woody plants where practicable) or other permanently stable, non-eroding surface shall replace any temporary measures as soon as

practicable. Unpacked gravel containing fines (silt and clay sized particles) or crusher runs will be considered a non-eroding surface.

### **2.1.3 Structural Practices**

The attached drawings depict several structural practices to divert flows from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. Such practices include, but are not limited to the following:

- Silt fences;
- Earth dikes;
- Drainage swales;
- Sediment traps;
- Check dams;
- Subsurface drains;
- Pipe slope drains;
- Level spreaders;
- Rock outlet protection;
- Reinforced soil retaining systems;
- Gabions;
- Storm drainage inlet protection;
- Diversion ditch; and
- Temporary or permanent sedimentation basin.

Muddy water to be pumped from excavation and work areas must be held in settling basins or filtered or chemically treated prior to its discharge into surface waters. Water must be discharged through a pipe, well-grassed or lined channel or other equivalent means so that the discharge does not cause erosion and sedimentation. Discharge water must not cause an objectionable color contrast with the receiving stream.

## **2.2 Storm Water Management**

This portion of the Plan addresses measures that are installed during the construction process to control pollutants in storm water discharges that will occur after construction operations have been completed.

The general permit only addresses the installation of storm water management measures, and not the ultimate operation and maintenance of such structures after the construction activities have been completed, the site has undergone final stabilization, and the permit coverage has been terminated. Permittees are only responsible for the installation and maintenance of the storm water management measures prior to final stabilization of the site, and are not responsible for maintenance after storm water discharges associated with construction activity have been eliminated from the site. All permittees are encouraged to limit the

amount of post construction runoff, if not required by local building regulations, in order to minimize in-stream channel erosion in the receiving stream.

The planned storm water management measures for the Rural Plains Tract – Floodplain Alteration include the final stabilization of graded areas. All graded areas shall receive erosion control fabric for those slopes specified on the drawings and all disturbed areas are to receive seeding and straw mulch in accordance with the landscaping drawings and specifications.

Any portions of the property that are sold prior to completion of construction will be required by the owner/developer to provide a separate sediment and erosion control plan for those portions to be sold. These plans shall be integrated into the overall sediment and erosion control site plan. In addition, the contractor will ensure that measures will be implemented which prevent the “taking” of legally protected state or federal listed threatened or endangered aquatic fauna.

### **2.3 Other Items Needing Control**

Construction and waste materials that are expected to be stored on site include those typically found at a building construction site. These may include:

- Lumber for forming and construction;
- Stockpiled piping and catch basins;
- Stockpiled rock and gravel;
- Structural steel and reinforcing bars;
- Building materials, such as studs, roof trusses, wiring, conduits, mortar, rock for veneer, shingles, sand, etc.; and
- Construction equipment and vehicles.

All materials shall be stored in such a manner that the materials containing potential pollutants (e.g. machine oils) cannot come in contact with rainwater. No solid materials, including building materials, shall be placed in waters of the state, except as authorized by a section 404 permit and/or an Aquatic Resource Alteration Permit.

Off-site vehicle tracking of sediments and the generation of dust shall be minimized.

### **2.4 Approved Local Government Sediment and Erosion Control Requirements**

The Grading and Drainage Plan, included in Appendix B, has been reviewed and approved by the City of Franklin – Stormwater Management Section and is included as part of this Plan. All sediment and erosion control measures must be

maintained throughout the life of the project. The site is subject to inspection by said Department at any time. The grading permit issued by said Department must be displayed at the project trailer.

This Plan may be amended to reflect any change that is instituted by the local government to sediment and erosion site plans or site permits, or storm water management site plans or site permits for which the owner (or any of its agents) receives written notice.

### **3.0 Maintenance**

BNB-WCO Investors, LLC's authorized site contractor is responsible for ensuring that all vegetation, erosion, and sediment control measures, buffer zones, and other protective measures identified in the site plan are kept in good and effective operating condition. Maintenance needs identified by inspections or other means shall be accomplished before the next storm event, but in no case more than seven days after the need is identified.

### **4.0 Inspections**

#### **4.1 Inspector Training and Certification**

Inspectors must have successfully completed the "Fundamentals of Erosion Prevention and Sediment Control" course, or an equivalent course, for individuals involved in land-disturbing activities which provides a working knowledge of erosion prevention and sediment controls. A copy of the certification or training record for inspector certification should be kept on site.

#### **4.2 Schedule of Inspections**

- a) Inspections described in paragraphs c, d and e listed below, shall be performed at least twice every calendar week. Inspections shall be performed at least 72 hours apart. Where sites or portion(s) of construction sites have been temporarily stabilized, or runoff is unlikely due to winter conditions (e.g., site covered with snow or ice), such inspection only has to be conducted once per month until thawing results in runoff or construction activity resumes. Inspections requirements do not apply to definable areas that have been finally stabilized. Written notification of the intent to conduct only monthly inspections and the justification for such request must be submitted to the local Environmental Field Office, or the division's Nashville Central Office for projects of the Tennessee Department of Transportation (TDOT) and the Tennessee Valley Authority (TVA).
- b) Qualified personnel (provided by the permittee or cooperatively by multiple permittees) shall inspect disturbed areas of the construction site that have not been finally stabilized, areas used for storage of



materials that are exposed to precipitation, structural control measures, locations where vehicles enter or exit the site, and each outfall.

- c) Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. Erosion prevention and sediment control measures identified in the SWPPP shall be observed to ensure that they are operating correctly.
- d) Outfall points (where discharges leave the site or enter water of the state) shall be inspected to determine whether erosion prevention and sediment control measures are effective in preventing significant impacts to receiving water. Where discharge location are inaccessible, nearby downstream locations shall be impacted. Locations where vehicles enter or exit the site shall be inspected for evidence of offsite sediment tracking.
- e) Based on the results of the inspection, any inadequate control measures or control measures in disrepair shall be replaced or modified, or repaired as necessary, before the next rain event if possible, but in no case more than 7 days after the need is identified.
- f) Based on the results of the inspection, the site description identified in the SWPPP in accordance with this permit and pollution prevention measures identified in the SWPPP in accordance with this permit shall be revised as appropriate, but in no case later than 7 days following the inspection. Such modifications shall provide for timely implementation of any changes of the SWPPP, but in no case later than 14 days following the inspection.
- g) Inspections shall be documented and include the scope of the inspection, name(s) and title of personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the storm water pollution prevention plan (including the location(s) of discharges of sediment or other pollutants from the site and of any control device that failed to operate as designed or proved inadequate for a particular location), and actions taken in accordance with the Inspections Section of this permit. Inspection documentation will be maintained on site and made available upon request. Inspection reports must be submitted to the division within 10 days of the request. Permittees not discharging into impaired or high quality waters may, but are not required to, use the inspection form provided in Appendix E.

## **5.0 Non-Storm Water Discharges**

The following non-storm water discharges from active construction sites are authorized under the general permit and are anticipated during construction:

- Dewatering of work areas of collected storm water and ground water;

- Water used to wash vehicles (of dust and soil, not process materials such as oils, asphalt or concrete) where detergents are not used and detention and/or filtering is provided before the water leaves sites;
- Water use to control dust;
- Potable water sources including waterline flushings from which chlorine has been removed to the maximum extent practicable;
- Routine external building wash down which does not use detergents or other chemicals;
- Uncontaminated ground water or spring water; and
- Foundation or footing drains where flows are not contaminated with pollutants (process materials such as solvents, heavy metals, etc.).

All non-storm water discharges, not limited to those identified above shall be discharged through stable discharge structures. These would include the temporary sedimentation basins or the subsurface drainage system shown on the attached grading plan(s).

All non-storm water discharges authorized by the General Permit must be free of sediment or other solids and must not cause erosion of soil or the stream bank, or result in sediment impacts to the receiving stream.

## 6.0 Signatures and Certifications

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

**Owner: BNB-WCO Investors, LLC on behalf of Rural Plains Partnership**

Manager  
Title

[Signature]  
Signature

2/25/08  
Date

I certify under penalty of law that I have reviewed this document, any attachments and the SWPPP reference above. Based on my inquiry of the construction site owner/developer identified above and/or my inquiry of the person directly responsible for assembling this NOI and SWPPP, I believe the information submitted is accurate. I am aware that this NOI, if approved, makes the above-described construction activity subject to NPDES permit number TNR100000, and that my activities on-site are thereby regulated. I am aware that there are significant penalties, including the possibility of fine and imprisonment, for knowing violations and for failure to comply with these permit requirements.

**Construction Manager:**

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### ADDITIONAL SUB-CONTRACTORS

**Company:** \_\_\_\_\_

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Company:** \_\_\_\_\_

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date